

1809-17

Lives of the Presidents

The Fourth President



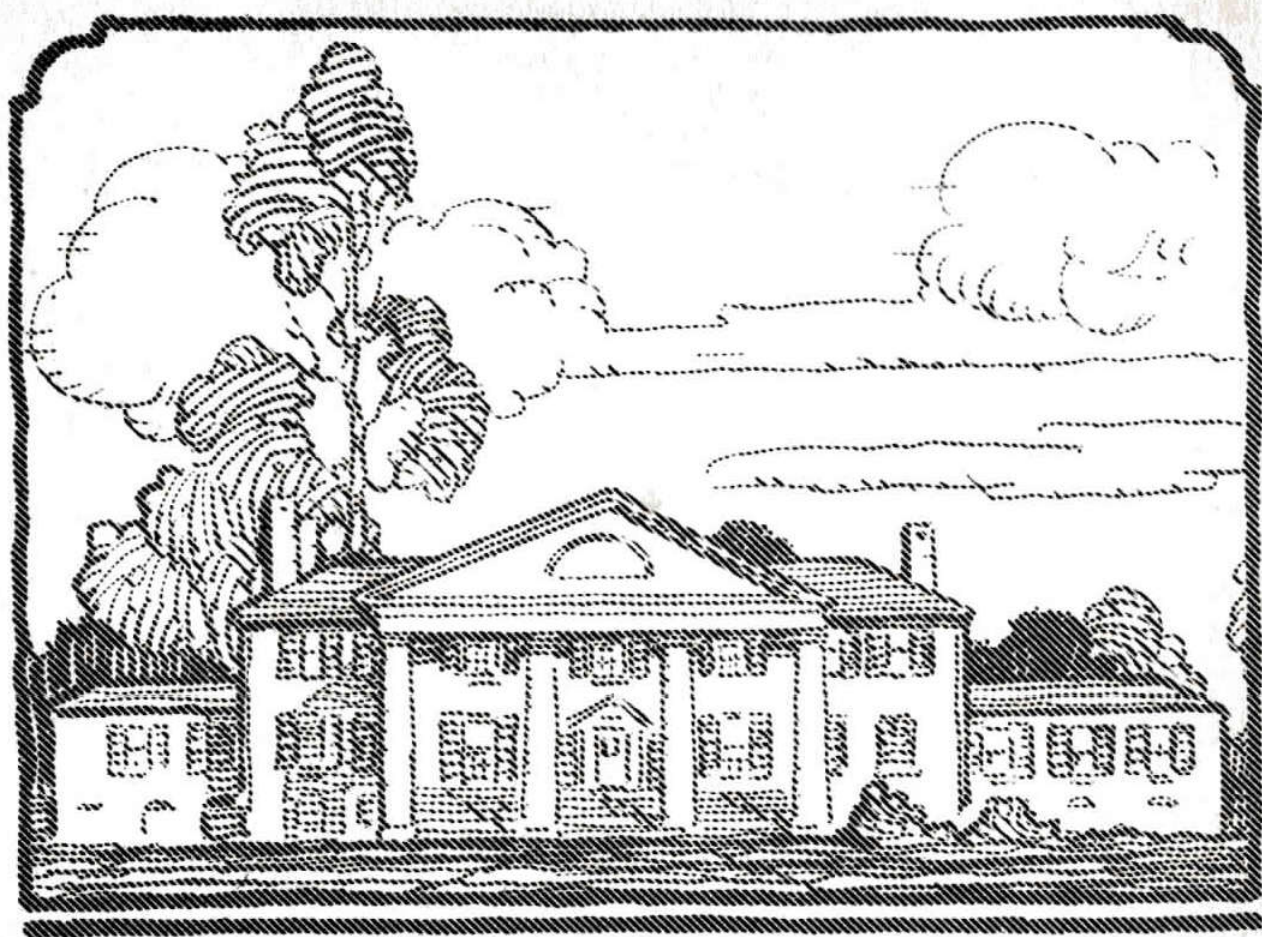
JAMES MADISON

# **JAMES MADISON**

**FATHER OF THE CONSTITUTION**

**John Hancock  
Mutual Life Insurance Company  
Boston, Mass.**





*The Home  
of Madison  
at Montpelier,  
Virginia . . .*



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# James Madison

Father of the Constitution

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*Published by*

*John Hancock*  
MUTUAL  
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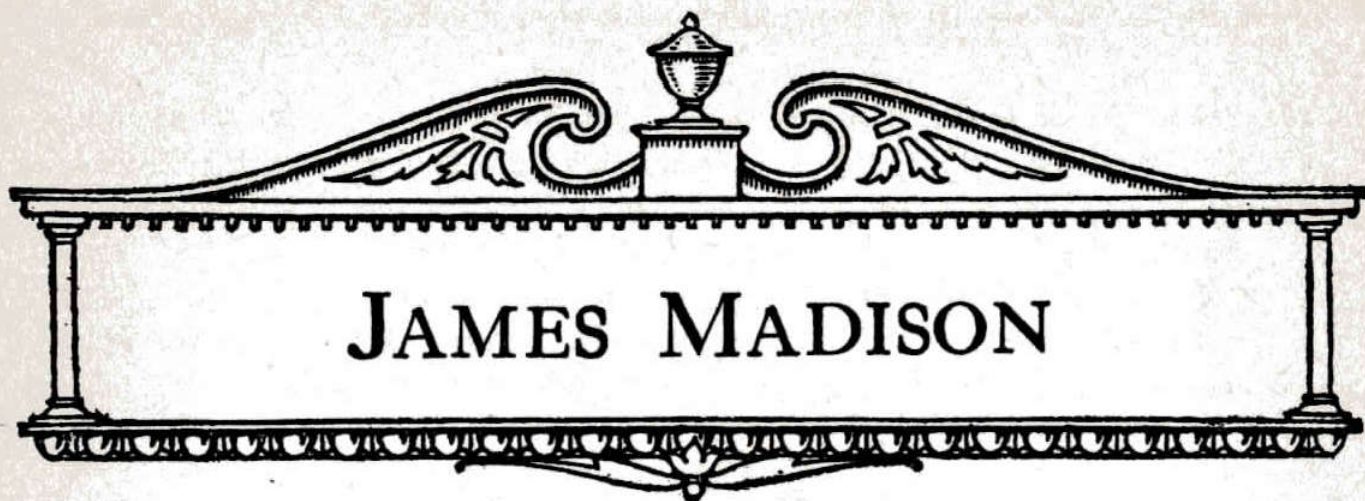
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*“THE advice nearest my heart  
and deepest in my convictions  
is, that the Union of the States  
be cherished and perpetuated.”*

*—James Madison.*





### *Father of the Constitution*

**T**HE Revolutionary War made possible a free and independent United States of America, but the adoption of the Constitution accomplished what the Revolution made possible. Without the strong union of the States which the Constitution provided, this country could never have become the powerful nation it is today. James Madison was one of the leaders in giving the nation its Constitution. So great was his part in bringing about the convention which framed the Constitution, and so important were his contributions in helping to write it and to secure its adoption, that he is still known as the "Father of the Constitution."

### EARLY LIFE AND EDUCATION

**V**IRGINIA was the birthplace of four of the first five American Presidents, and James Madison, the fourth President, and the third of the "Virginia dynasty" was born in Port Conway of that State on March 16, 1751. He was the eldest of seven children. His father, James Madison, Senior, was a well-to-do planter, whose family had lived in America for several generations.

The boy Madison was given what slight educational advantages there were to be had in Virginia in those early days. As there were no public schools, and very few private ones, he was prepared for college by the parish clergyman, Thomas Martin, and at the age of eighteen he entered Princeton University.

Physically Madison was not strong; in fact his letters indicate that he did not expect a "long or healthy life." In spite of his condition, however, he applied himself with great diligence to his



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studies, which seem to have been aimed at a career in the church rather than one in the State. He was not at all concerned with political matters, though the period of his college course, 1769-1773, was a very stirring one for the colonies in their struggle against the Stamp Act, the tea tax, and other measures of British oppression. Almost every colonist was greatly interested in these political matters, but Madison writes to a friend at about this period, "But away with politics."

### EARLY POLITICAL CAREER

**I**N spite of Madison's apparent dislike of politics, he was started on a political career almost as soon as he wrote the line quoted above. He had been out of college only a year when, in 1774, he was made a member of the Committee of Safety of his county. The office, of course, was small, but it marks the beginning of more than forty years of public service, which ended only after he stepped down from the President's chair in 1817.

Eighteen months after his appointment to the Committee of Safety he was elected to the Virginia Convention of 1776, where he was on a committee that drew up the State Constitution. Here his interest in political study really awakened, and he began to read law with so much thoroughness that before many years he became one of the highest authorities on constitutional law in America.

Under the new State Constitution, Madison was elected a member to the first assembly. He was likewise a candidate for reelection in the next session; but he refused to electioneer in the manner that was customary; and as he solicited no votes, did not give free drinks to the electors, and absolutely refused to buy his way into office, he was defeated.

His defeat, however, served as an actual gain to him; for he was appointed at once to the Governor's Council, where he made such a good impression that two years later, in 1780, he was sent to the Continental Congress. So, at twenty-nine, the man who had exclaimed "Away with politics" was in a political office that would have satisfied the most ambitious politician.

Madison, entering the Congress during the darkest year of the Revolution, saw the facts clearly, and faced them honestly. He



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writes to Jefferson, then Governor of Virginia: "Our army [is] threatened with an immediate alternative of disbanding or living on free quarters; the public treasury empty; public credit exhausted; . . . Congress complaining of the extortion of the people, the people of the unprovidence of Congress, and the army of both. . . . Congress recommending plans to the several states for execution, and the states separately rejudging the expediency of such plans. . . . These are the Outlines of the picture of our public situation."

He saw clearly that the system of government under the Confederation was inadequate and impossible. There was neither money nor the power to raise money; and a government without money is a government in name only. Even at that early date he made up his mind that a new system of government must be devised in which the power of the central government must be greater than the power of the separate States, and that was the seed from which grew the Constitution of America.

Not only was the national government in great need of funds, but so was Madison. His expenses should have been paid by the State which sent him to the Congress, as that was then the practice, but for some reason Virginia was far from prompt. In his letters, Madison stresses his need of funds, explaining that he has been forced to borrow from a Jew broker, who would not, however, take any interest when Madison was finally able to repay him.

The Government, unfortunately, could not borrow money on such advantageous terms. It could not raise enough by taxes to support the army, since any State or all States could refuse to pay any taxes, and the only thing left was to borrow from France. The total debt in 1783 was forty million dollars. Some definite financial plan was absolutely necessary if the Government were to be kept from bankruptcy. Madison, Hamilton, and others who realized the great need, supported a plan to tax imports. The States, however, refused to give up even that small power to the central government, and it became apparent that the Confederation could not last. Madison left the Congress, in 1784, fully convinced that some new plan of union was necessary.

While attending Congress, Madison had an unfortunate love affair with a young lady just half his age. He was now thirty-two,



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and the fact that he had delayed his love-making to that age made his disappointment doubly hard to bear.

It was his unhappy fate to be attached to a young lady of more than usual beauty and vivacity—Miss Catherine Floyd, a daughter of General William Floyd of Long Island, N. Y., who was one of the signers of the *Declaration of Independence*, and who was a member of the same Continental Congress with Madison.

General Floyd admired Madison; and when the young statesman fell in love with the General's daughter, the father caused Miss Catherine to become engaged to Madison. Before many months the young girl fell in love with a clergyman who was much nearer her own age. The engagement was broken, and Madison turned to bury himself more deeply than ever in the affairs of state.

In a friendly letter, Thomas Jefferson consoles the disappointed lover: "I sincerely lament the misadventure which has happened, from whatever cause it may have happened. Should it be final, however, the world presents the same and many other resources of happiness, and you possess many within yourself."

In the State Assembly to which Madison was at once elected when he left the Congress, he became a leader. With his mind fixed on the making of the union of the States a really powerful one, he supported measures for giving Congress control of trade, and for securing money for the Government. Control of trade, it must be remembered, was in the hands of the States, not in the hands of the central government. The trade of Virginia on one bank of the Potomac River was under a different law than that of Maryland on the opposite bank of the river. The resulting confusion, and evasion of all trade laws, made some uniform system necessary. Madison prepared a resolution which provided for the appointment of five commissioners from Virginia to meet with commissioners from other States and make some uniform system for regulating trade. The resolution, however, was not adopted. But Maryland suggested that all the States whose trade was on the Potomac should meet and come to some agreement on laws of commerce. With that suggestion as a starting-point, Madison again brought forward his resolution that all the States should be asked to send delegates to a



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convention where they should discuss and examine "the relative situations and trade of [all] the states; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony." This time the resolution was passed, and invitations were sent to all the States to send commissioners to such a trade conference.

## THE CONSTITUTION

**M**ADISON'S first claim to the title of the "Father of the Constitution" lies in the fact that he was the author of the resolution which brought about the trade conference; for out of that conference grew the convention which in turn framed the Constitution. On September 11, 1786, the commissioners of Virginia, Delaware, Pennsylvania, New Jersey, and New York assembled at Annapolis. As only five States were represented, the commissioners did not think it advisable to proceed until all thirteen States could send commissioners.

Before adjourning, however, the convention adopted an address written by Alexander Hamilton, in which all the States were asked to join in sending representatives to a convention for the purpose of considering trade regulation, and for devising "such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the union." Thus Madison's original proposal grew into a resolution for a Constitutional Convention, which was called to meet in Philadelphia in May, 1787. Madison and Washington were sent to the Convention from Virginia. All the other States, with the exception of Rhode Island, responded, and on May 25 the Convention opened.

Madison's second great service for the Constitution was the preparation of a plan, called the *Virginia Plan*, which was brought before the Convention and made a basis for the present Constitution. In this plan he proposed that the power of the States should be reduced, that election of representatives in the central government should be on the basis of population, not on the basis of States. That is: election by the separate States must cease; for clearly there could be no approach to equality if a community of seventy thousand



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free inhabitants had the same power in the Union as one containing seven hundred thousand. Under the Confederation the States were equal; under the proposed *Virginia Plan* the inhabitants became equal.

Madison further proposed that all powers of taxation, of raising armies, and of controlling commerce should be given to the central government.

In drawing up the final draft of the Constitution, the Convention included many of Madison's proposals, but it had to make many compromises with those who believed the States should be the basis of government. The House of Representatives was formed on the basis of population, but the Senate was formed on the basis of equal representation for every State.

In still another way James Madison's name is so clearly connected with the Constitution that as long as the one is remembered the other cannot be forgotten; for he made the only illuminating report of the Convention which has come down to us. From his full notes we can see the very conspicuous part that he played in that gathering, which time has shown to have been one of the great events in the history of mankind.

Madison's labors for the Constitution did not cease when the document was finally drawn up and the Convention adjourned, for there still remained the great task of securing ratification from nine of the States before the new government could come into being. Though not fully satisfied with the Constitution as it was finally accepted by the Convention, Madison believed that it was the best instrument that could be secured with the strong feeling of jealousy which existed among the States. He therefore threw himself into the struggle of securing its ratification. With Hamilton and Jay, Madison joined in writing a series of papers explaining and supporting the new Constitution. The series is called *The Federalist*, and stands today among our best political writings.

*The Federalist* exerted a great influence in securing the ratification of the Constitution, but the personal influence of all who believed in a strong union was also necessary to win from the individual States favorable action on the Constitution. Madison brought all of his power and influence to bear upon the State of Virginia, where the



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forces of Patrick Henry and his party were opposed to centralization. When the Virginia Convention met to consider voting for the Constitution, the party of Patrick Henry clearly had a majority. By means of the most persistent effort, Madison finally succeeded in winning the day; and Virginia ratified the Constitution by a vote of eighty-nine to seventy-nine. This was Madison's greatest political victory, and a victory that was a fitting climax to that long series of services to the Constitution which made him unquestionably the "Father of the Constitution."

De Warville, a Frenchman who was in America soon after this victory, writes: "The name of Madison, celebrated in America, is well known in Europe by the merited eulogium made of him by his countryman and friend, Mr. Jefferson.

"Though still young, he has rendered the greatest services to Virginia, to the American Federation, and to liberty and humanity in general. He contributed much, with Mr. White, in reforming the civil and criminal codes of his country. He distinguished himself particularly in the Convention for the acceptance of the new federal system. Virginia balanced a long time in adhering to it. Mr. Madison determined to it the members of the convention by his eloquence and logic. This republican appears to be about thirty-eight years of age. He had, when I saw him, an air of fatigue; perhaps it was the effect of the immense labors to which he has devoted himself for some time past. His look announces a censor, his conversation discovers the man of learning, and his reserve was that of a man conscious of his talents and of his duties."

## IN CONGRESS

**T**HE first Congress under the new Constitution of America convened in New York on March 4, 1789, but no business was transacted until April 1, because there were not members enough on hand to constitute a quorum. James Madison was a member of the first Congress. Naturally his name had been proposed for membership in the Senate, but Patrick Henry's party was so powerful in the state legislature that he had been defeated for that office. But his own district in Virginia sent him to the House of Representatives.



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The first real business brought before the House, after its organization, was introduced by Madison. It was a proposal to raise money by taxing goods brought into this country. Such a proposal had been rejected under the old Confederation; so that it was in reality a test measure as to the strength of the new government. A long debate followed; but the bill finally passed, the new government was secure in the thing the lack of which had wrecked the Confederation—the power to raise money.

After winning the first battle of the new Congress, Madison became the recognized leader in the House of Representatives. He had a very complete knowledge of the Constitution, which he had gained in drawing up the first plan, in working with it during the Convention, in explaining and supporting it in *The Federalist*, and in fighting for its ratification in Virginia; and, because of his knowledge of the new Constitution, he was the logical man to lead the first Congress.

Before the end of the first Congress, Madison began to drift away from the Federal party to which he had at first belonged. Alexander Hamilton, who was the recognized head of that party which had brought about the new Constitution, was the Secretary of the Treasury under President Washington. He proposed two measures that Madison could not support. They were: the establishing of the National Bank, and the paying of State debts by the national government.

Virginia was a strong Democratic State. The leader of the Democratic party (called at first the Republican party) was Thomas Jefferson. Madison was a strong personal friend of Jefferson, and he was the representative of Virginia. These considerations, coupled with his own belief that Hamilton's measures were too revolutionary, led Madison to fight against them in the House and finally to leave the Federal party altogether. Unfortunate as it may have been that he should have left the party of his first choice, certain it is that he could never have been President had he clung to the Federalists; for with the election of Jefferson to the presidency in 1800, the Federal party went out of office, never to return.

During his last term in Congress, 1795–97, Madison married Mrs. Dolly Payne Todd in 1796. Mrs. Madison, affectionately



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known as Dolly Madison, was a beautiful and accomplished woman, who was for years a leading figure in Washington society. James Madison was not a candidate for reelection in 1796, and retired with his bride to his home in Virginia, where he hoped that he might live in peace after the turbulent years he had spent in public office. He set about building himself a pretentious country-place which he called Montpelier. His letters of this period show him deeply interested in farming, building and furnishing his home, and in sheep raising. Thomas Jefferson had given Madison some choice imported sheep, and in the letters which the two exchanged at the time, we find much more said of the sheep than of politics.

But politics claimed Madison again in 1798, when he became a member of the Virginia legislature. It may have been that he could not keep out of politics, much as he loved the quiet life of Montpelier, or it may have been that he felt called to a special duty; for affairs were in a critical condition. France had broken diplomatic relations with America, and the Federalist party, then in control, with Adams as president, had made what Madison thought was a great blunder in passing *The Alien and Sedition Laws*. In the Virginia legislature Madison introduced resolutions declaring that the laws were not within the power of the Federal Government and should be repudiated by the States.

The whole country was so opposed to the action of the Federalists that in 1800 the party was defeated and Jefferson was elected President. Naturally the post of Secretary of State was offered to Madison, for he was, next to Jefferson himself, the most influential and important member of the Democratic party.

## SECRETARY OF STATE

ON the morning of March 4, 1801, Thomas Jefferson tied his horse to the fence and walked alone into the capitol to take the oath of office as President. James Madison was not present at this ceremony, the death of his aged father keeping him at home. He soon after, however, assumed the duties of the station to which Jefferson had called him, and there remained until he took the presidential office, in his turn, eight years later.



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The early years of Jefferson's administration were happy and prosperous. French relations had become peaceful, *The Alien and Sedition Laws* had died a natural death, and even England had ceased for a time her attacks upon American commerce. The trade of the States grew by leaps and bounds, and the profitable shipping trade between foreign countries made both northern and southern States rich and happy.

Madison as Secretary of State was in an influential position, and with his constant advice and counsel, helped Jefferson in his highly successful administration, the greatest single accomplishment of which was the Louisiana Purchase.

Jefferson's second term as president, however, was less happy than his first. War between France and England at first gave Americans very fruitful carrying trade, since American ships were neutral and not liable to seizure by either of the nations at war. The British, however, did not like to see American ships taking the commerce which had once belonged to them, so British men-of-war began to seize American ships that were laden with French goods, take them into port, and condemn them for carrying enemy's goods.

Madison protested against the practice, and he made a very complete study to show that it was a violation of law. His essay was a careful and thorough study of the whole question, but when it was presented to the British Government by Madison, it did no good, for the very excellent reason that the United States had no navy, worthy the name, with which to enforce its demands. Jefferson believed in maintaining neither army nor navy. The United States was therefore helpless to protect the very large shipping trade which had grown up. England and France both continued to seize American merchant ships on the high seas until in 1807 Congress passed the Embargo Act, which forbade all American ships to leave this country. The Act was ruinous to the northern States in particular, and the opposition to it was so great that it was soon repealed, except against Great Britain and France.

Madison's part in all this tangle with France and England was that of a servant rather than that of a leader; for the foreign policy was laid down by Jefferson. In spite of that, however, Madison was an excellent Secretary of State. The calm and thoughtful manner



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in which he prepared and stated the American side of the controversy, and the way in which he labored to secure American rights on the high seas showed him to be a statesman of the highest rank. He failed to secure the rights he labored for, because an appeal to arms or at least the threat of war was the only thing that could secure these rights; and in his own administration he brought that appeal to bear in the War of 1812.

## MADISON AS PRESIDENT

**I**N the presidential election of 1808, James Madison was the logical choice for President. Jefferson's party controlled the situation, in spite of the tangled foreign relations, the embargo, and other unpopular measures. Of all the men in the party, Madison was, next to Jefferson, the most conspicuous and popular. Of the 175 electoral votes, he secured 122; and on March 4, 1809, Madison was inaugurated President of the United States.

His first act as President was to confer with the British Minister at Washington, Mr. Erskine, from whom he secured an agreement that Great Britain would respect the rights of American ships, provided the United States would continue the embargo against France. In agreeing to this, however, Erskine exceeded his authority; but Madison believed that he had come to a settlement with England on at least one of the points of difference, and he issued a proclamation withdrawing the embargo against England and her colonies after June 1, 1809.

Madison had known something of popularity during his long career; but never before had he felt the exultation of great popular applause. There was almost a universal shout of gratitude to the new President, who, so the people believed, had banished the fear of war abroad, and was opening one of our greatest industries at home. "More than a thousand ships, loaded and riding at anchor in all the principal ports of America, spread their wings like a flock of long imprisoned birds, and flew out to sea."

The thing that happened now, however, was fully as bad for the country as the lifting of the embargo had been good for it. Great Britain refused to ratify the treaty Erskine and Madison had drawn



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up, and the United States was in the same place it had been before, and Madison still faced the alternative of keeping the American ships at home, or going to war with England.

Another practice of the British navy had been causing great discontent among Americans; that was the impressment of sailors under the pretext that the sailors so impressed were British subjects. During Jefferson's administration, in 1807, the United States frigate *Chesapeake* had been fired upon by the British man-of-war *Leopard*, because the commander of the *Chesapeake* had refused to permit his ship to be searched by the British for deserters from the British navy. The American ship was forced to give in after the man-of-war had fired on her and killed and wounded several sailors. The British then boarded the ship, searched it and took off four sailors, only one of whom was an Englishman.

Now that Madison's attempted treaty with Great Britain had fallen through, the impressment of American sailors as well as the seizure of American ships on the high seas again became an issue so strong that war might be expected.

In May, 1811, an incident occurred which could lead to nothing but war with England. The American frigate *President* and the British sloop-of-war *Little Belt* met and fought. The British vessel was one of a squadron of war-ships which the British had sent to the American coast to break up the trade from the United States to France. The ships met a few miles south of Sandy Hook, chased each other in turn, then fired into each other without reasonable pretext for the first shot, which each accused the other of having fired. The loss on the English ship in the encounter was over thirty in killed and wounded, while only a single man was wounded on the *President*. Madison saw the outcome of this battle and said that it would "probably end in an open rupture or a better understanding; as the calculations of the British government may prompt or dissuade from war."

As for himself, Madison was no more willing to go to war than he had been before. The United States was not prepared for it any more than she had been at first. But the young Democratic leaders in Congress, particularly Clay and Calhoun, were determined that the United States should go to war. Finally in June, 1812,



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Madison, seeing that peaceful means could never win for the United States the rights to which she was entitled on the high seas, proposed a declaration of war with Great Britain.

On land, the War of 1812 was highly disastrous. The British forces captured the city of Washington, while the American expedition against Canada was a failure. Only at New Orleans was victory on land secured. But at sea, where Britain had for years ruled supreme, the United States was more successful than even the most hopeful could have expected. The sea victories, however, were not great enough to overcome the feeling of defeat which the capture and burning of the city of Washington had brought about. New England in particular did not like the war, because her chief business was shipping, and that of course was at a standstill.

Because of the unpopularity of the war in the North, the northern States had called a convention at Hartford to consider the question of the continuation of the government which was responsible for the war.

Madison was greatly disturbed by what he thought was an attempt to break up the Union. But before any such outcome resulted, a treaty of peace was signed at Ghent. In the treaty the United States did not secure the chief thing she sought; namely, discontinuation of the impressment of sailors. But the showing made by the United States sea fighters certainly did much to bring about an end to impressment.

For two years after the treaty of peace Madison had the good fortune to see prosperity return to the country under his administration. War between France and England had come to a close; and the American merchantmen again sailed the high seas free from the danger of capture. Though the trade was less extensive than it had been ten years earlier, it was safe and sure. When he left the President's chair in 1817, Madison was again popular, and the United States was again prosperous and secure.

## LAST YEARS

FOR nearly twenty years after his retirement to Montpelier, Madison was privileged to watch the growing prosperity of the country for which he had given the greater part of his life.



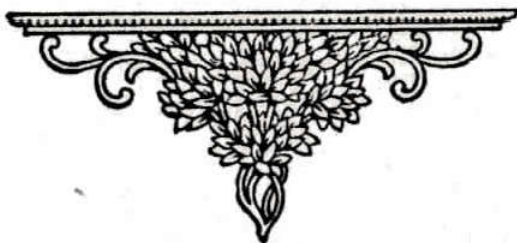
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Although he had retired to private life, Madison was constantly called upon to give advice and help in public matters. He wrote in 1827: "I have rarely during the period of my public life found my time less at my disposal than since I took my leave of it."

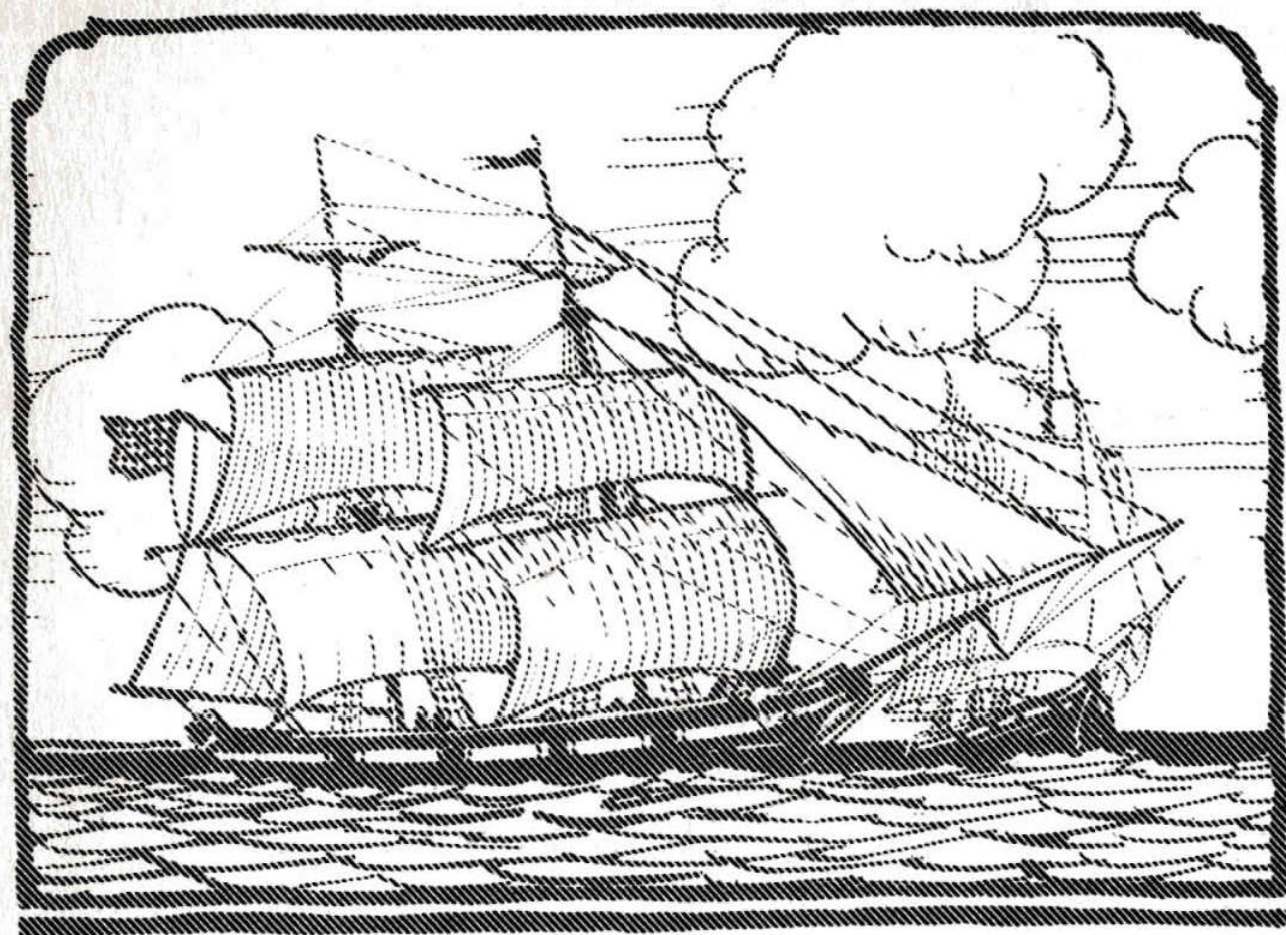
Because of the very great part that he had taken in the formation of the Constitution, he was constantly writing his interpretation of it and comments upon it. He published his reports of the Constitutional Convention, and wrote many letters about that historic assembly.

A legislator rather than an executive, Madison rendered his greatest service to the United States in his work for the Constitution, and it is for that rather than for his many other services that he holds today the high place he does among American statesmen. His mind was that of a scholar, and he was famous for the great knowledge he always acquired on every subject in which he was interested. In the preparation of the *Virginia Plan* for a constitution, for instance, Madison made a complete study of every confederation and union of governments in history. From these he drew what seemed to be the best and safest theories and practices, and on these he founded his plan for a constitution.

On June 28, 1836, Madison died at Montpelier, Virginia, at the age of eighty-five. In his *Advice to My Country*, which he left to be read after his death, he wrote: "The advice nearest my heart and deepest in my convictions is, that the Union of the States be cherished and perpetuated."







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